

ABORIGINAL PEOPLES AND CANADIAN LAW

LAW 370H1S

WINTER TERM, 2014

VOLUME TWO

Kerry Wilkins

STORAGE

KE 7708.5 .W557 2014 v.2 c.1

BORA LASKIN LAW LIBRARY

JAN - 6 2014

UNIVERSITY OF A COLUMN

ABORIGINAL PEOPLES AND CANADIAN LAW

LAW 370H1S

WINTER TERM, 2014

VOLUME TWO

Kerry Wilkins

Digitized by the Internet Archive in 2018 with funding from University of Toronto

ABORIGINAL PEOPLES AND CANADIAN LAW LAW 370H1S TABLE OF CONTENTS, 2014 VOLUME 2

PAGE	
269	Sawridge Band v. Canada, [1996] 1 F.C. 3 [excerpts]
270	R. v. Sparrow, [1990] 1 S.C.R. 1075 [excerpts]
280	R. v. Van der Peet, [1996] 2 S.C.R. 507 [excerpts]
291	(Grand Chief Mike) Mitchell v. Canada (Minister of National Revenue), [2001] 1 S.C.R. 911, 2001 SCC 33 [excerpts]
300	Lax Kw'alaams Indian Band v. Canada (Attorney General), 2011 SCC 56 [excerpts]
306	R. v. Adams, [1996] 3 S.C.R. 101 [excerpts]
311	R. v. Côté, [1996] 3 S.C.R. 139 [excerpts]
312	R. v. Sappier; R. v. Gray, [2006] 2 S.C.R. 686, 2006 SCC 54 [excerpts]
318	R. v. Powley, [2003] 2 S.C.R. 207 [excerpt]
325	Russel Lawrence Barsh & James Youngblood Henderson, "The Supreme Court's Van der Peet Trilogy: Naïve Imperialism and
0.00	Ropes of Sand" (1997) 42 McGill L.J. 993 [excerpts; notes omitted]
332	Delgamuukw v. B.C., [1997] 3 S.C.R. 1010 [excerpt]
335	R. v. Horseman, [1990] 1 S.C.R. 901 [excerpts]
339	R. v. Gladstone, [1996] 2 S.C.R. 723 [excerpts]
343 348	R. v. Alphonse, [1993] 5 W.W.R. 401 (B.C.C.A.) [excerpts] Mabo v. Queensland (No. 2) (1992), 175 C.L.R. 1 (H.C. Australia) [excerpts]
351	Delgamuukw v. B.C., [1997] 3 S.C.R. 1010 [excerpts]
361	R. v. (Stephen) Marshall; R. v. Bernard, [2005] 2 S.C.R. 220, 2005 SCC 43 [excerpts]
366	Chippewas of Sarnia Band v. Canada (A.G.) (2000), 51 O.R. (3d) 641 (C.A.) [excerpts]
378	Canada, Report of the Royal Commission on Aboriginal Peoples (1996), vol. 1, 173-176
380	Alexander Morris, <i>The Treaties of Canada with the Indians of Manitoba and the Northwest Territories</i> (Toronto: Belfords, Clarke & Co., 1880) [excerpts]
386	Treaty No. 3 Between Her Majesty the Queen and the Saulteaux Tribe of the Ojibbeway [sic] Indians at the Northwest Angle on the Lake of the Woods (1873) [excerpts]
389	R. v. Simon, [1985] 2 S.C.R. 387 [excerpts]
397	R.v. Sioui, [1990] 1 S.C.R. 1025 [excerpts]

PAGE

- 412 Campbell v. B.C. (A.G.) (2000), 189 D.L.R. (4th) 333 (B.C.S.C.) [excerpts]
- 425 R. v. Howard, [1994] 2 S.C.R. 299 [excerpts]
- 428 R. v. (Donald) Marshall, [1999] 3 S.C.R. 456 [excerpts]
- 437 R. v. Badger, [1996] 1 S.C.R. 771 [excerpts]
- 444 R. v. (Donald) Marshall (rehearing application), [1999] 3 S.C.R. 533 [excerpts]
- W.I.C. Binnie, "The Sparrow Doctrine: Beginning of the End or End of the Beginning?" (1990) 15 Queen's L.J. 217 [excerpts]
- 451 R. v. Nikal, [1996] 1 S.C.R. 1013 [excerpts]
- 453 R. v. Gladstone, [1996] 2 S.C.R. 723 [excerpts]
- 458 Delgamuukw v. British Columbia, [1997] 3 S.C.R. 1010 [excerpts]
- 461 *Haida Nation v. B.C. (Minister of Forests)*, [2004] 3 S.C.R. 511, 2004 SCC 73 [excerpts]
- 471 Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage), [2005] 3 S.C.R. 388, 2005 SCC 69 [excerpts]
- 479 Rio Tinto Alcan Inc. v. Carrier Sekani Tribal Council, 2010 SCC 43, [2010] 2 S.C.R. 650 [excerpts]
- 485 Beckman v. Little Salmon/Carmacks First Nation, 2010 SCC 53, [2010] 3 S.C.R. 103 [excerpts]
- 492 Corbiere v. Canada (Minister of Indian and Northern Affairs), [1999] 2 S.C.R. 203 [excerpts]
- Draft Legal Text, Charlottetown Accord, October 9, 1992 [excerpts]
- 507 Logan v. Styres (1959), 20 D.L.R. (2d) 416 (Ont. H.C.J.)
- 511 Delgamuukw v. B.C., [1993] 5 W.W.R. 97 (B.C.C.A.) [excerpts]
- Kenneth J. Tyler, "Another Opinion: A Critique of the Paper Presented by the Royal Commission on Aboriginal Peoples Entitled: 'Partners in Confederation'" in *The Inherent Right of Self-Government*, Continuing Legal Education Program, Canadian Bar Association (Toronto, 1994) [excerpts]
- Roger Gibbins, "Citizenship, Political, and Intergovernmental Problems with Indian Self-Government" in J. Rick Ponting, ed., Arduous Journey: Canadian Indians and Decolonization (Toronto: McClelland & Stewart, 1986) 369-377
- Patrick Macklem, "First Nations Self-Government and the Borders of the Canadian Legal Imagination" (1991) 36 McGill L.J. 382 [excerpts]
- Catherine Bell & Michael Asch, "Challenging Assumptions: The Impact of Precedent in Aboriginal Rights Litigation" in Michael Asch, ed., Aboriginal and Treaty Rights in Canada: Essays on Law, Equity and Respect for Difference (Vancouver: UBC Press, 1997) [excerpts]
- Canada, Report of the Royal Commission on Aboriginal Peoples, vol. 2 (Ottawa: Minister of Supply and Services, 1996) [excerpts]

PAGE	
562	Casimel v. Insurance Corp. of British Columbia (B.C.C.A.) (1993),
	106 D.L.R. (4th) 720 (B.C.C.A.) [excerpt]
564	R. v. Pamajewon, [1996] 2 S.C.R. 821 [excerpts]
566	Delgamuukw v. B.C., [1997] 3 S.C.R. 1010 [excerpts]
567	Talton v. Mayes, 163 U.S. 376 (1896) [excerpts]
568	Santa Clara Pueblo v. Martinez, 463 U.S. 49, 98 S.Ct. 1670 (1978)
	[excerpts]
575	Kent McNeil, "Aboriginal Governments and the Canadian Charter of
	Rights and Freedoms" (1996) 34 Osgoode Hall L.J. 61 [excerpts]
585	Menno Boldt & J. Anthony Long, "Tribal Philosophies and the
	Canadian Charter of Rights and Freedoms" in Menno Boldt & J.
	Anthony Long, eds., The Quest for Justice: Aboriginal Peoples and
	Aboriginal Rights (Toronto: U of T Press, 1985) 165-179
593	R. v. Kapp, [2008] 2 S.C.R. 483, 2008 SCC 41 [excerpts]
000	

